

REMARKS

Status of this application

In the Office Action mailed on January 11, 2006, the Examiner finally rejected Claims 1-13 and 15-22 based on the previously cited Lewis et al. Patent 6,611,815 (hereinafter "Lewis"). On January 26, 2006, applicants filed a response to that final rejection, and on March 6, 2006, the Examiner mailed an Advisory Action maintaining that rejection, and further correctly summarized a telephone interview between applicants' undersigned attorney and the Examiner on February 26, 2006 on the INTERVIEW SUMMARY form attached to the advisory action.

Summary of Telephone Interview of March 24, 2006

On March 24, 2006, Applicant's undersigned counsel participated in a telephone interview with Examiner Havan. Prior to that interview, applicant provided the Examiner with an advance copy of the proposed amendments to the claims as now set forth in this Amendment in the foregoing "Amendments to the Claims" section.

In that telephone interview, no specific claims were discussed. The Examiner indicated she had considered the proposed amendments and that, based on her preliminary review, she concluded that the claims as amended appeared to distinguish over the previously cited Lewis patent, but could require that a new search be conducted.

Applicants undersigned attorney indicated that a Request for Continued Examination would be filed, together with an amendment formally requesting that the proposed amendments be entered.

This amendment

This response amends each of the independent claims 1, 2, 3, 10, 15 and 19 to clarify the recitation that the claimed investment or product, at the time it is issued, specifies a future maturity date upon which the holder will be entitled to receive a lump sum payment or alternatively, at the option of the holder, to instead receive a sequence of annuity payments in amounts and at times that are specified in the investment instrument or product at the time it is issued. This amendment was made to more clearly and expressly distinguish over the deferred annuity contracts disclosed by Lewis which permit the contract holder, at some indefinite future

time, to convert the then current value of the contract into a lump sum payment of a fixed annuity. This conversion occurs when the Lewis contract holder choses either to surrender the contract for its current value or to annuitize the contract by converting its current value it to a fixed annuity. Applicants' claims as now presented make it clear that the future maturity date, the lump sum payment, and the amounts and times of the future annuity payments are all specified in the instrument as first issued, rather than at some later time as in Lewis.

Conclusion

Entry of this amendment is requested in view of the Request For Continued Examination filed herewith, and prompt allowance of the claims as now presented is requested.

The Examiner's earlier consideration of this proposed amendment and her efforts to expedite the disposition of this application in view of its long pendency is appreciated.

Respectfully submitted,

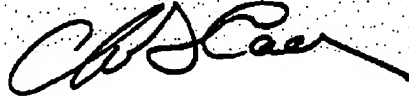
A handwritten signature in black ink, appearing to read 'C. G. Call', with a stylized flourish at the end.

Dated: March 27, 2006

Charles G. Call, Reg. 20,406

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this *Amendment* is being transmitted by facsimile to the central facsimile number of the U.S. Patent and Trademark Office, (703) 872-9306, on March 27, 2006.



Dated: March 27, 2006

Signature

Charles G. Call, Reg. No. 20,406
USPTO Customer No. 021253
68 Horse Pond Road
West Yarmouth, MA 02673
Ph. (508) 778-2630 Fax (508) 629-6540
call@patentsoft.com